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13 UNITED STATES BANKRUPTCY COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 [San Jose Division]

17 In re
18 EVANDER FRANK KANE,
19 Debtor.

Case No: 21-50028 SLJ
Chapter 7

22 CENTENNIAL BANK, an Arkansas state
23 chartered bank,
24 Plaintiff,
25 vs.
26 EVANDER FRANK KANE,
27 Defendant.

Adv. No. 21-05016

**DECLARATION OF PETER C.
CALIFANO IN SUPPORT OF
PLAINTIFF CENTENNIAL BANK'S EX
PARTE APPLICATION TO SET
JANUARY 10, 2023 HEARING ON
MOTION FOR SUMMARY JUDGMENT
[NO HEARING REQUESTED]**

1 I, Peter C. Califano, am an attorney authorized to practice in this court and represent
2 Plaintiff Centennial Bank ("Centennial") in this case and adversary proceeding. I know the
3 following matters to be true of my own, personal knowledge and, if called as a witness, could and
4 would testify competently thereto:

5 1. This enlargement request is due to the fact that there are no hearing dates available
6 in December, 2022 on Court's Open Calendar, no special set hearing dates available in
7 December, 2022 and January 10, 2023 is the Court's next date available for a hearing on a motion
8 in this adversary proceeding.

9 2. There have been no other requests for a time enlargement on a hearing on
10 Centennial's Motion for Summary Judgment.

11 3. Centennial believes that even with the requested extended hearing date on its
12 Motion for Summary Judgment, that there is no need to change any other date on the Scheduling
13 Order or the Trial Date. However, if the Court believes a modification of the Scheduling Order is
14 appropriate, Centennial would adjust accordingly and suggests that a status conference would be
15 helpful in deciding any new dates.

16 4. Stephen D. Finestone, Esq. of the law firm of Finestone Hays, LLP, counsel of
17 record for the Debtor Evander Kane was contacted by me on the afternoon Wednesday,
18 November 16, 2022 to discuss the subject matter of this application. Mr. Finestone stated that he
19 would not stipulate to a January 10, 2023 hearing date on Centennial's Motion for Summary
20 Judgment, nor would he be willing to change any dates in the current Scheduling Order.

21
22 I declare under the penalty of perjury that the foregoing is true and correct, and this
23 Declaration was executed on November 17, 2022 at San Francisco, California.

24
25 /s/ Peter C. Califano
26 Peter C. Califano
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